

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of T.B.W.P. and T.W.P., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHARON ANN WATT,

Respondent-Appellant,

and

LARRY PRYOR,

Respondent.

UNPUBLISHED

January 24, 2003

No. 240894

Wayne Circuit Court

Family Division

LC No. 90-285611

Before: Cooper, P.J., and Bandstra and Talbot, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(i), (b)(ii), (g), (i), (j), and (l). We affirm.

Respondent-appellant first argues that she was denied the effective assistance of counsel when trial counsel failed to object to a question posed by the attorney for the minor children to the protective services worker. Respondent-appellant has waived this issue by not including it in her statement of questions presented. *In re BKD*, 246 Mich App 212, 218; 631 NW2d 353 (2001). In any event, this is not a valid basis for reversal because respondent-appellant has failed to establish the requisite prejudice to sustain her claim. There was ample evidence that respondent-appellant had a chronic substance abuse problem dating back to 1990, which had led to her parental rights to three other children being terminated in three separate child protective proceedings. In addition, respondent-appellant herself admitted that she used crack cocaine while pregnant with the twins, T.B.W.P. and T.W.P. Accordingly, respondent-appellant has failed to show a reasonable probability that if the challenged testimony had not been admitted the

result of the proceeding would have been different. *People v Pickens*, 446 Mich 298, 302-303, 314; 521 NW2d 797 (1994).

Respondent-appellant does not challenge the sufficiency of the evidence supporting the numerous statutory grounds relied upon by the trial court to terminate her parental rights. Instead, she argues that it was not in the children's best interests to terminate her parental rights. The evidence failed to show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Jessica R. Cooper
/s/ Richard A. Bandstra
/s/ Michael J. Talbot